

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

EXHIBIT
11

SUSIE ZAPATA and MONICA GARCIA,

Plaintiffs,

vs.

Case No. 1:21-CV-00083 MV/JFR

LEON MARTINEZ, ROBERTA LUCERO-ORTEGA,
ARTHUR SANCHEZ, BERLEEN ESTEVAN,
and SUMMIT FOOD SERVICE, LLC,

Defendants.

**DEFENDANT LUCERO-ORTEGA'S ANSWERS AND RESPONSES TO PLAINTIFFS'
FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION**

COMES NOW Defendant Roberta Lucero-Ortega, by and through counsel of record, Kennedy, Moulton & Wells, P.C., by Debra J. Moulton, and hereby submits her Answers and Responses to Plaintiffs' First Set of Interrogatories and Requests for Production as follows:

INTERROGATORIES AND REQUESTS FOR PRODUCTION

INTERROGATORY NO. 1:

Please state the following:

Objection as this Interrogatory is compound, representing at least 15 different interrogatories. Without waiving these objections, Defendant will respond to each separately.

- A. All names you have ever used, or by which you have ever been known, including nicknames, and the dates such names were used;

ANSWER: Roberta Lucero, Roberta Lucero-Ortega, Roberta Ortega

- B. Your place of residence;

ANSWER: Objection, as this Interrogatory calls for the disclosure of security-

involuntarily placed on leave or demoted. Ms. Lucero-Ortega left because she was promoted.

In January of 2016, Ms. Lucero-Ortega became Warden at New Mexico Women's facility. Her job duties were to: Manage staff at all institutional levels, making decisions regarding hiring, training, promotion, discipline, evaluation and firing of staff. Coordinate, plan and implement appropriate staffing plans and services to ensure facility safety and program deliverables. Coordinate staff to maintain a safe working environment, delegating responsibilities to first-line supervisors and monitoring activities for compliance with prison and state regulations, to include appropriate ACA (American Correctional Association) and PREA (Prison Rape Elimination Act) standards and compliance, as to maintain facility accreditation. Oversee the support staff associated with prison programs in education, work, mental health and the infirmary, which requires a thorough understanding of the needs and best practices for treatment of the incarcerated. Conduct weekly site visits of all areas of the facility to ensure that both staff and inmates comply with department policies and standards. Perform administrative functions of running a prison facility, including budgeting and managing the development and implementation of appropriate policies and procedures. In setting budgets, responsible for reviewing expenditures and evaluate the success and necessity of prison programs. Responsible for coordinating the response during crises, such as an emergency, a riot or natural disaster.

In February 2019, Ms. Lucero-Ortega began working at Bernalillo County Metropolitan Detention Center as a contractor monitoring the medical Contract. As Medical Compliance Monitor, she was responsible for the oversight of the MDC Medical Services Provider and its contract with MDC, and the day-to-day operations of the MDC

to the extent she did not have or may not have information regarding an individual's dates of employment, address, current phone number or email address. Without waiving these objections, during the time Ms. Lucero-Ortega was Warden at WNMCF, Berleen Estevan was responsible for food service and food sanitation, with oversight from Shift Commanders who conducted rounds at least once per day in the kitchen as well as quarterly audits and inspections by EID. Nicholette Garcia and Arthur Sanchez, the Fire Safety and Sanitation Officers, were responsible for pest control at WNMCF during the time Ms. Lucero-Ortega was Warden.

INTERROGATORY NO. 6 and REQUEST FOR PRODUCTION NO. 1:

Please describe in detail all documents in any way referencing the presence of rodents, rodent feces or rodent urine at WNMCF. Please provide copies of all such documents.

ANSWER: Objection, as this request is vague as to the meaning of the phrase “the presence of rodents” and overly broad in scope as it seeks information during time frames that Ms. Lucero-Ortega was not employed at WNMCF and during a time frame when Plaintiffs were not incarcerated at WNMCF, which may not be in her possession, custody, or control. Without waiving this objection, Ms. Lucero-Ortega cannot recall specifically any documents referencing rodents, rodent feces or rodent urine at WNMCF, other than inspection reports from various sources, if any.

INTERROGATORY NO. 7 and REQUEST FOR PRODUCTION NO. 2: